



Order Filed on March 31, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
DAMIEN N. TANCREDI, ESQ. (DNT 1383)
FLASTER/GREENBERG P.C.
Commerce Center
1810 Chapel Avenue West
Cherry Hill, NJ 08002-4609
(856) 661-2280
Counsel for Debtors in Possession

In Re:

SMS ENTERPRISES, INC. *et al.*,

Debtors.

Honorable Andrew B. Altenburg, Jr.

Chapter: 11

Bankr. No.: 19-21332 (ABA) (Jointly
Administered)

Hearing Date: March 31, 2020

**ORDER GRANTING DEBTORS' MOTION UNDER 11 U.S.C. § 1121(e) FOR AN
EXTENSION OF DEADLINE BY WHICH PLAN MUST BE FILED**

The relief set forth on the following page, numbered two (2), is hereby ORDERED.

DATED: March 31, 2020


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: SMS ENTERPRISES, INC. *et al.*

Case No.: 19-21332 (JNP)

ORDER GRANTING DEBTORS' MOTION UNDER 11 U.S.C. § 1121(e) FOR AN
EXTENSION OF DEADLINE BY WHICH PLAN MUST BE FILED

Upon Consideration of the Motion¹ of the Debtors, for an extension of the 300-day deadline within which Debtor's plan and disclosure statement must be filed pursuant to 11 U.S.C. § 1121(e); and whereas it appears that the Debtors have demonstrated by a preponderance of the evidence that is more likely that the Court will confirm a plan within a reasonable period of time and that the request is made before the present deadlines have expired; and it appears that the Court has jurisdiction over this matter; and for good cause shown it is ORDERED;

1. The Motion is GRANTED.
2. The §1121(e)(2) deadline is extended to June 1, 2020.
3. The entry of this Order is without prejudice to (i) the Debtor's right to seek from this Court further extension(s) of the date by which a plan must be filed; or (ii) any party in interest's rights to seek to reduce the deadline for cause.

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion.

In re:
SMS Enterprises Inc.
Debtor

Case No. 19-21332-ABA
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Mar 31, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 02, 2020.

db +SMS Enterprises Inc., P.O. Box 588, Marlton, NJ 08053-0588
aty +Flaster/Greenberg P.C., Commerce Centr, 1810 Chapel Avenue West, Third Floor,
Cherry Hill, NJ 08002-4606

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2020 at the address(es) listed below:

Damien Nicholas Tancredi on behalf of Debtor ETA Enterprises, Inc.
damien.tancredi@flastergreenberg.com, damien.tancredi@ecf.inforuptcy.com
Damien Nicholas Tancredi on behalf of Debtor SPS Enterprises, Inc.
damien.tancredi@flastergreenberg.com, damien.tancredi@ecf.inforuptcy.com
Damien Nicholas Tancredi on behalf of Debtor SMS Enterprises Inc.
damien.tancredi@flastergreenberg.com, damien.tancredi@ecf.inforuptcy.com
Daniel P. Bernstein on behalf of Creditor Covenant Bank d.p.bernstein1@gmail.com
David Banks on behalf of Creditor Covenant Bank bbwlaw@yahoo.com
Denise E. Carlon on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com,
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Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov,
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Judith Carol Arnold on behalf of Creditor Buena Realty, LLC f/k/a Mr. and Mrs. John Caselli
jarnold@grucciopepper.com, jmorvay@grucciopepper.com
Judith Carol Arnold on behalf of Creditor Maintree Shopping Center, L.P., Landlord
jarnold@grucciopepper.com, jmorvay@grucciopepper.com
Julie M. Murphy on behalf of Creditor Maintree Shopping Center, L.P. murphy@hylandlevin.com
Paul W. Verner on behalf of Debtor ETA Enterprises, Inc. pwverner@vernerlaw.com
Paul W. Verner on behalf of Debtor SPS Enterprises, Inc. pwverner@vernerlaw.com
Paul W. Verner on behalf of Attorney Paul William Verner pwverner@vernerlaw.com
Raymond M. Patella on behalf of Interested Party Cape Atlantic Food Services, LLC
rpatella@kraemerburns.com
Richard J. Gerace on behalf of Debtor SMS Enterprises Inc. rgeracel4@comcast.net
Stephen McNally on behalf of Creditor Buena Realty, LLC f/k/a Mr. and Mrs. John Caselli
smcnally@cmsfirm.com, lburgo@cmsfirm.com; jlong@cmsfirm.com; pbellino@cmsfirm.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 22